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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,322	01/23/2004	Takashi Nojima	03560.003430	4952

5514 7590 06/01/2005

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EXAMINER

CULLER, JILL E

ART UNIT PAPER NUMBER

2854

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

TEL

Office Action Summary	Application No. 10/762,322	Applicant(s) NOJIMA ET AL.	
	Examiner Jill E. Culler	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 is/are allowed.
- 6) ☒ Claim(s) 6, 12-14 and 20 is/are rejected.
- 7) ☒ Claim(s) 7-11 and 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20040423</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because in Figure 6, the reference numeral 18a has been used twice, whereas in other drawings these two parts have been indicated as 18a and 18b. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claims 14-20 are objected to because of the following informalities: In claim 14, on line 14, it appears that the word "small" should be "smaller" instead. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 12-14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,184,780 to Kurihara et al. in view of JP 04298450 to Kuichi et al.

With respect to claims 6 and 12, Kurihara et al. teaches a recording apparatus for performing a recording operation on a recording medium with an inkjet head that discharges ink, see column 2, lines 10-15, comprising: transporting means for transporting the recording medium; a platen for guiding the recording medium transported by said transporting means and holding means for holding the inkjet head so as to face said platen. See column 2, lines 20-42.

Kurihara et al. does not teach a transport roller for transporting recording medium downstream of a platen, said transport roller comprising a first roller portion coming into contact with the recording medium and a second roller portion having a smaller

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diameter than said first roller portion; a rotor cooperating with said first roller portion for sandwiching the recording medium; and a guide member, positioned by said second roller portion, for guiding the recording medium from said platen into a nip between said first roller portion and said rotor. Kurihara et al. also does not teach that the guide member comprises a guide surface for guiding the recording medium and is positioned by said second roller portion such that the guide surface lies below the nip.

Kuichi et al. teaches a transport roller for transporting recording medium downstream of a platen, see Fig. 19, said transport roller comprising a first roller portion, 21a, 21b, 21c, coming into contact with the recording medium and a second roller portion, 22, having a smaller diameter than said first roller portion; a rotor, 25a, 25c, cooperating with said first roller portion for sandwiching the recording medium; and a guide member, 23a, 23b, positioned by said second roller portion, for guiding the recording medium from said platen into a nip between said first roller portion and said rotor. Kuichi et al. also teaches that the guide member comprises a guide surface, 23c, 23d, for guiding the recording medium and is positioned by said second roller portion such that the guide surface lies below the nip. See Figures 19 and 29 in particular.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the printer of Kurihara et al. to have the transport roller arrangement of Kuichi et al. in order to more smoothly discharge the printing medium from the printer.

With respect to claim 13, Kurihara et al. teaches that the platen is movable to adjust a gap between the inkjet head and the recording medium. See column 2, lines 36-38.

With respect to claims 14 and 20, Kurihara et al. teaches a recording apparatus for performing a recording operation on a recording medium with an inkjet head that discharges ink, see column 2, lines 10-15, comprising: transporting means for transporting the recording medium; a platen for guiding the recording medium transported by said transporting means; holding means for holding the inkjet head so as to face said platen; wherein said platen is movably supported so as to change a distance from said platen to the inkjet head held by said holding means. See column 2, lines 20-42.

Kurihara et al. does not teach a transport roller for transporting the recording medium downstream of the platen, said transport roller comprising at least two first roller portions coming into contact with the recording medium and at least one second roller portion having a small diameter than said first roller portions; at least two rotors cooperating with corresponding first roller portions for sandwiching the recording medium; and at least two guide members, supported by said second roller portion, for guiding the recording medium from said platen into a nip between said first roller portions and said corresponding rotors. Kurihara et al. also does not teach that each of the guide members comprises a guide surface for guiding the recording medium and is supported by said second roller portion such that the guide surface lies below the nip.

Kuichi et al. teaches a transport roller for transporting recording medium downstream of a platen, see Fig. 19, said transport roller comprising at least two first roller portions, 21a, 21b, 21c, coming into contact with the recording medium and at least one second roller portion, 22, having a smaller diameter than said first roller portion; at least two rotors, 25a, 25c, cooperating with corresponding first roller portions for sandwiching the recording medium; and at least two guide members, 23a, 23b, positioned by said second roller portion, for guiding the recording medium from said platen into a nip between said first roller portions and said corresponding rotors. Kuichi et al. also teaches that the guide member comprises a guide surface, 23c, 23d, for guiding the recording medium and is supported by said second roller portion such that the guide surface lies below the nip. See Figures 19 and 29 in particular.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the printer of Kurihara et al. to have the transport roller arrangement of Kuichi et al. in order to more smoothly discharge the printing medium from the printer.

Allowable Subject Matter

5. Claims 1-5 allowed.

The following is an examiner's statement of reasons for allowance: The prior art does not teach or render obvious a recording apparatus as claimed, particularly including at least two guide members for guiding the recording medium from a platen to a discharge roller wherein one end of each of the guide members is rotatably supported

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by the platen and the other end abuts against a second roller portion of the discharge roller.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Claims 7-11 and 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: With respect to claims 7 and 15, the prior art does not teach or render obvious a recording apparatus as claimed, particularly including guide members comprising an upstream positioning portion positioned by the platen and a downstream positioning portion positioned by a second roller portion of a discharge transport roller.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 4,729,557 to Kiyohara, U.S. Patent No. 5,372,443 to Borucki, Jr. et al., and U.S. Patent No. 5,515,094 to Tanaka et al. each teach an apparatus having obvious similarities to the claimed subject matter.

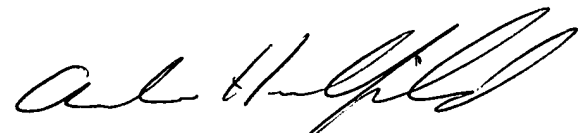
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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-Th 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jec



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